

REMARKS

Upon entry of the amendments herein, claims 1-9 and 12-26 remain pending in the application. However, due to the restriction requirement, claims 1, 6, 9, 18 and 20 only are presently being considered by the Examiner. Of these, claim 1 has been amended herein. Claim 7, although not presently being considered, has been amended to correct an inadvertent error. No new matter has been introduced by either of these amendments.

Applicants acknowledge the Examiner's withdrawal of the previous obviousness rejections of the claims.

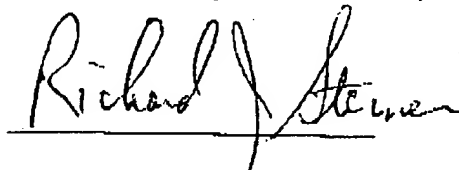
The Examiner has acknowledged the allowability of a certain subgenus of compounds of instant formula (1) and has expanded the search to include further compounds. In view of the expanded subgenus of compounds searched, the Examiner has rejected claims 1, 6, 9, 18 and 20 under 35 U.S.C. §102(b) as being anticipated by the newly cited reference of Usik et al. The scope of claim 1 has been narrowed by amendment herein of the definition of substituent R₁, and the compound of Usik is not among the compounds encompassed by amended claim 1.

The presently claimed subject matter is patentable over the prior art of record. At such time as a final determination as to the scope of allowable subject matter is made, Applicants will consider whatever amendments may have to be made to eliminate nonelected subject matter.

The Commissioner is hereby authorized to charge any fees
which may be due for any reason to Deposit Account No. 23-1703.

Dated: December 22, 2003

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Richard J. Sterner", is written over a horizontal line.

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